

HOUSE BILL 893

By Reedy

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 7; Title 56; Title 68 and Title 71, relative to an
assessment on ground ambulance service
providers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-1504, is amended by deleting
the section and substituting:

(a) The bureau shall calculate a uniform assessment per ground transport for
each ambulance provider pursuant to subsection (b).

(b) Except as otherwise provided in subsection (c), each quarter of the state
fiscal year, the assessment due from each ambulance provider must equal the rate set
in subsection (e) multiplied by each provider's total taxable quarterly transports. The
total taxable quarterly transport data must be based on the most recent available
completed quarter of transport data recorded by the office of emergency medical
services. Ambulance providers shall submit a quarterly reporting of all transports to the
office of emergency medical services in a manner determined by the office of emergency
medical services and the bureau.

(c) If the quarterly transport data is not adequate or available for the calculation
of assessments, then the bureau shall use total taxable transports submitted to the office
of emergency medical services from the most recent calendar year that the office of
emergency medical services has available. If neither the quarterly transport data nor
total taxable transports submitted to the office of emergency medical services are
adequate or available, then the bureau shall use the annual cost and utilization report

submitted pursuant to § 71-5-1507. The adequacy and availability of the data must be determined solely by the bureau.

(d) The bureau shall apply any annual changes to the assessment rate, calculated as described in subsection (b), uniformly to all assessed ambulance providers.

(e) The assessment must generate the lesser of:

(1) Twenty dollars (\$20.00) per taxable transport that is part of a provider's total taxable transports as defined in § 71-5-1502; or

(2) In the event that twenty dollars (\$20.00) per taxable transport causes the statewide assessment to exceed six percent (6%) of statewide net operating revenues, then such an amount on a per taxable transport basis that generates six percent (6%) of statewide net operating revenues.

(f)

(1) If a licensed provider assumes the operations of another licensed provider, then the transports of the provider whose operations were assumed are included as part of the assuming provider's annual assessment calculation as described in subsection (b).

(2)

(A) If an ambulance provider becomes newly licensed after the most recent calendar year, and does not have annual transport totals available from the office of emergency medical services for the purposes of the annual assessment calculation as described in subsection (b), then the provider shall submit a quarterly report to the office of emergency medical services attesting to the provider's most recent quarterly emergency transport totals no later than the fifteenth day of the first

month of each quarter in a manner determined by the office of emergency medical services and the bureau. Upon review, the office of emergency medical services shall report to the bureau the provider's quarterly transport totals, and the provider must be assessed twenty dollars (\$20.00) per taxable transport. The bureau shall assess the provider according to the methodology in this subdivision (f)(2) until a full calendar year of transport totals have been reported to and are available to be reported by the office of emergency medical services.

(B) The bureau shall require an ambulance provider that fails to report quarterly transports under this subsection (f) to pay the bureau, in addition to the assessment, a penalty of fifty dollars (\$50.00) per calendar day for each day the provider fails to submit a quarterly emergency transport report to the office of emergency medical services. However, the bureau may waive, in whole or in part, penalties accrued under this subdivision (f)(2)(B) upon a determination that there is good cause for such waiver.

(3) This subsection (f) does not apply to a change of ownership of an existing licensed ambulance provider.

SECTION 2. Tennessee Code Annotated, Section 71-5-1509(b), is amended by deleting the subsection and substituting instead the following:

(b) The ground ambulance provider assessment established by this part terminates on June 30, 2024.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.